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8 -and-

9 **WILLKIE FARR & GALLAGHER LLP**

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20 *Counsel for Ad Hoc Group of Subrogation Claim Holders*

21 **UNITED STATES BANKRUPTCY COURT**
22 **NORTHERN DISTRICT OF CALIFORNIA**
23 **SAN FRANCISCO DIVISION**

24 In re:

25 PG&E CORPORATION,

26 -and-

27 PACIFIC GAS AND ELECTRIC
28 COMPANY,

Debtors.

- ☐ Affects PG&E Corporation
☐ Affects Pacific Gas and Electric Company
☒ Affects both Debtors

* All papers shall be filed in the lead case,
No. 19-30088 (DM)

Bankr. Case No. 19-30088 (DM)
Chapter 11
(Jointly Administered)

**DECLARATION OF BENJAMIN P.
MCCALLEN IN SUPPORT OF THE AD
HOC GROUP OF SUBROGATION
CLAIM HOLDERS' MOTION FOR
RELIEF FROM THE AUTOMATIC
STAY**

Date: July 24, 2019
Time: 9:30 a.m. (Pacific Time)
Place: United States Bankruptcy Court
Courtroom 17, 16th Floor
San Francisco, CA 94102

Objection Deadline: July 19, 2019 at 4:00 p.m.

1 I, Benjamin P. McCallen, declare as follows:

2 1. I am a member of the Firm of Willkie Farr & Gallagher LLP. I am counsel to certain
3 members of the Ad Hoc Group of Subrogation Claim Holders (the “**Ad Hoc Subrogation**
4 **Group**”). I submit this Declaration in Support of the Ad Hoc Subrogation Group’s Motion to Lift
5 the Automatic Stay.
6

7 2. Attached hereto as Exhibit 1 is a true and correct copy of the Joint Case Management
8 Conference Statement, *California North Bay Fire Cases*, JCCP No. 4955 (Cal. Super. Ct. Oct. 22,
9 2018).

10 3. Attached hereto as Exhibit 2 is a true and correct copy of the California Dep’t of
11 Forestry & Fire Protection, Sonoma-Lake Napa Unit, Investigation Report: Tubbs Incident (Jan. 20,
12 2019) (the “Cal Fire Report”), as well as Attachment J to the Cal Fire Report.
13

14 4. Attached hereto as Exhibit 3 is the Master Complaint for the Individual Plaintiffs,
15 *California North Bay Fire Cases*, JCCP No. 4955 (Cal. Super. Ct. Mar. 12, 2018).

16 5. Attached hereto as Exhibit 4 is the Master Complaint for the Subrogation Plaintiffs,
17 *California North Bay Fire Cases*, JCCP No. 4955 (Cal. Super. Ct. Mar. 12, 2018).

18 6. Attached hereto as Exhibit 5 is a true and correct copy of Nicholas J. Nauslar, John T.
19 Abatzoglou, & Patrick T. Marsh, *The 2017 North Bay and Southern California Fires: A Case*
20 *Study*, FIRE 2018 (Jun. 9, 2018).
21

22 7. Attached hereto as Exhibit 6 is a true and correct copy of PG&E’s Response to the
23 CPUC’s Safety and Enforcement Division’s 10/14/17 Questions (Oct. 17, 2017).

24 8. Attached hereto as Exhibit 7 is a true and correct copy of the CPUC’s decision in
25 *Application of San Diego Gas & Elec. Co. for Review of its Proactive De-Energization Measures*
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28

1 *and Approval of Proposed Tariff Revisions (U902E)*, Application 08-12-021, CAL. PUB. UTILITIES
2 COMM'N (Issued Sept. 18, 2009).

3 I declare under penalty of perjury of the laws of the United States that the foregoing is true
4 and correct and that I would be competent to testify thereto if called upon to do so.
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7 Executed on the 3d day of July, 2019 at New York, New York.
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9

10 /s/ Benjamin P. McCallen

11 Benjamin P. McCallen
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